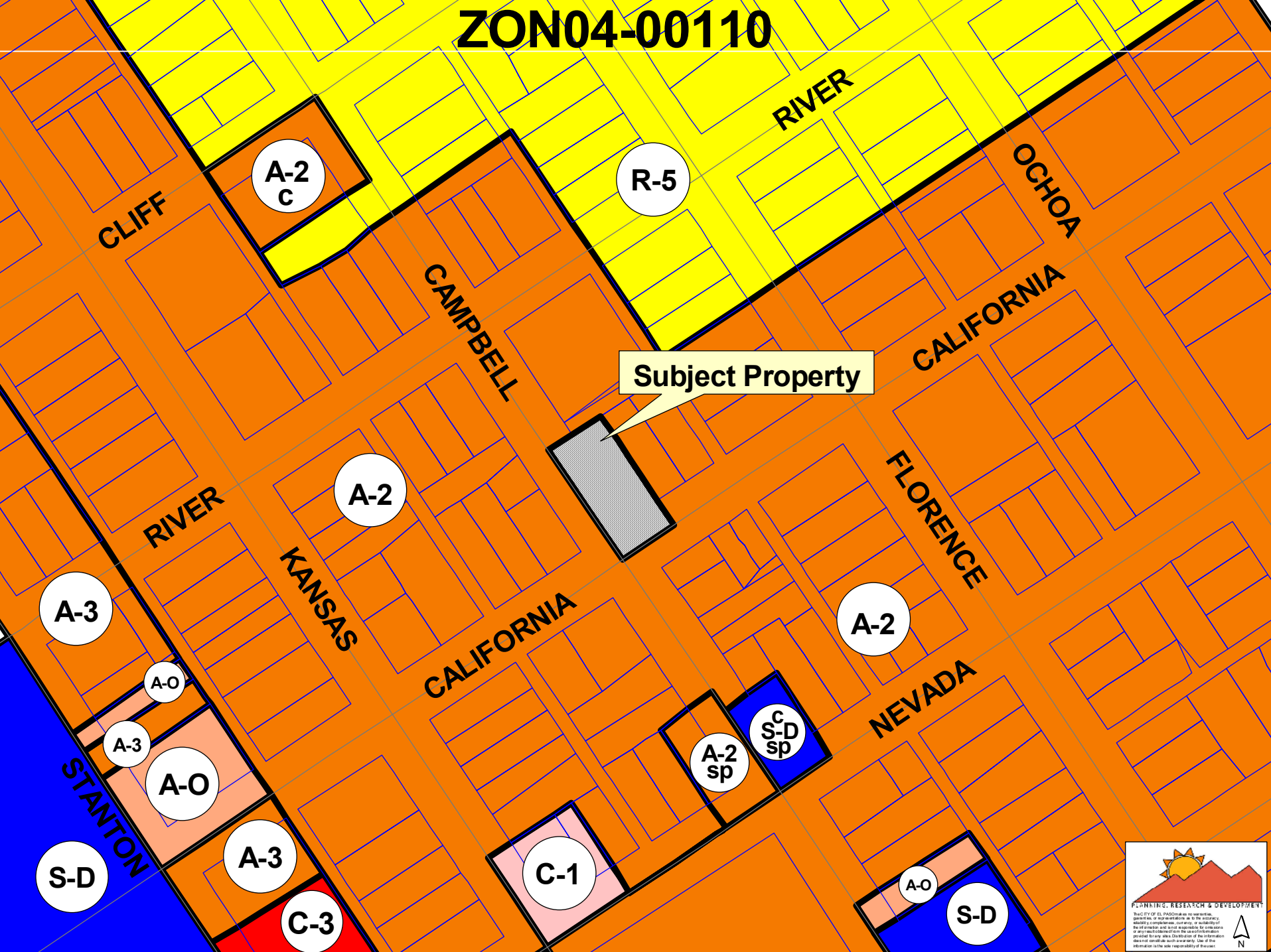
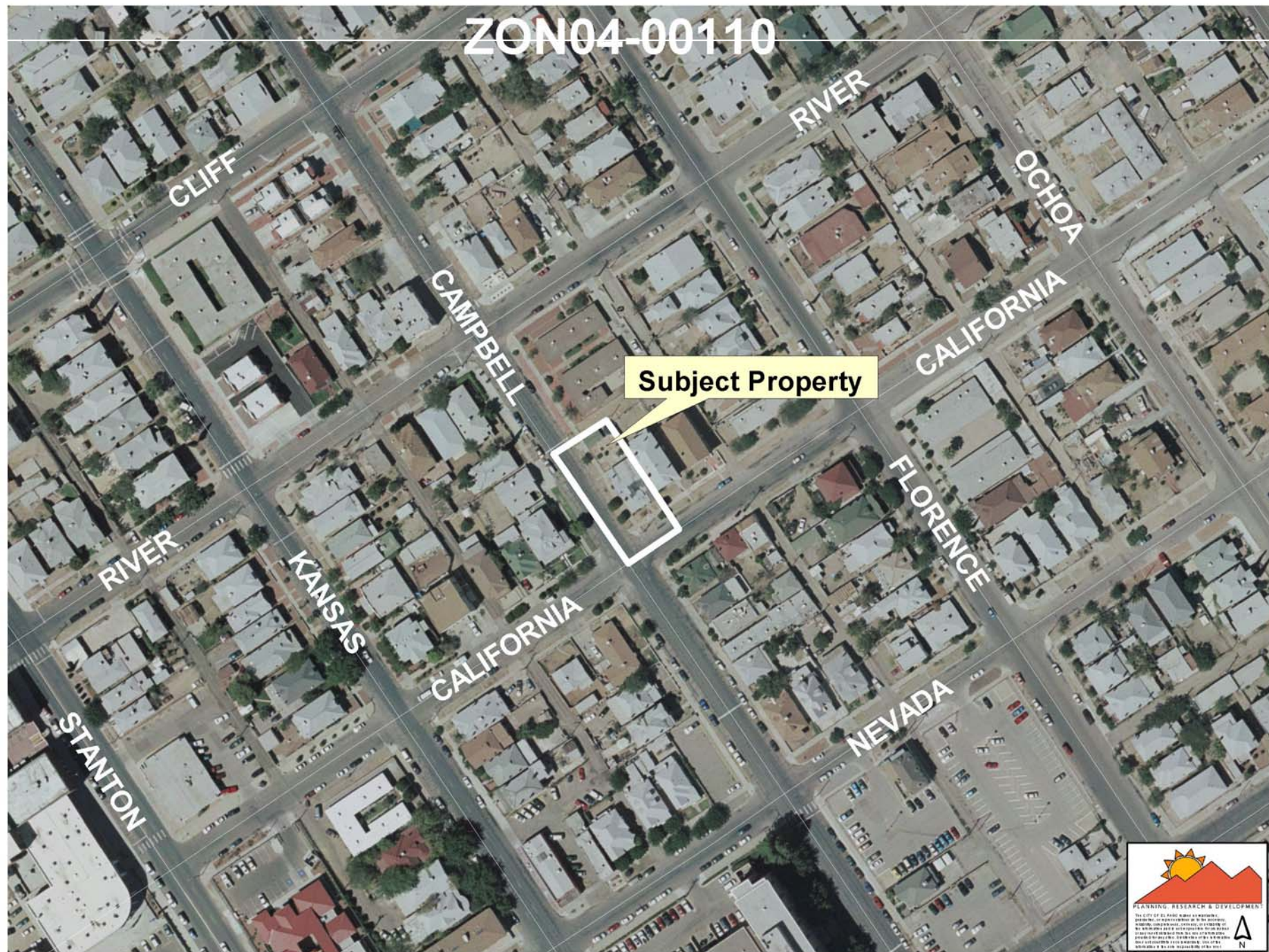


# ZON04-00110

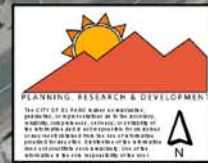




ZON04-00110



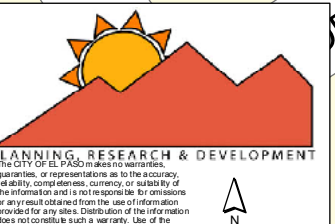
Subject Property

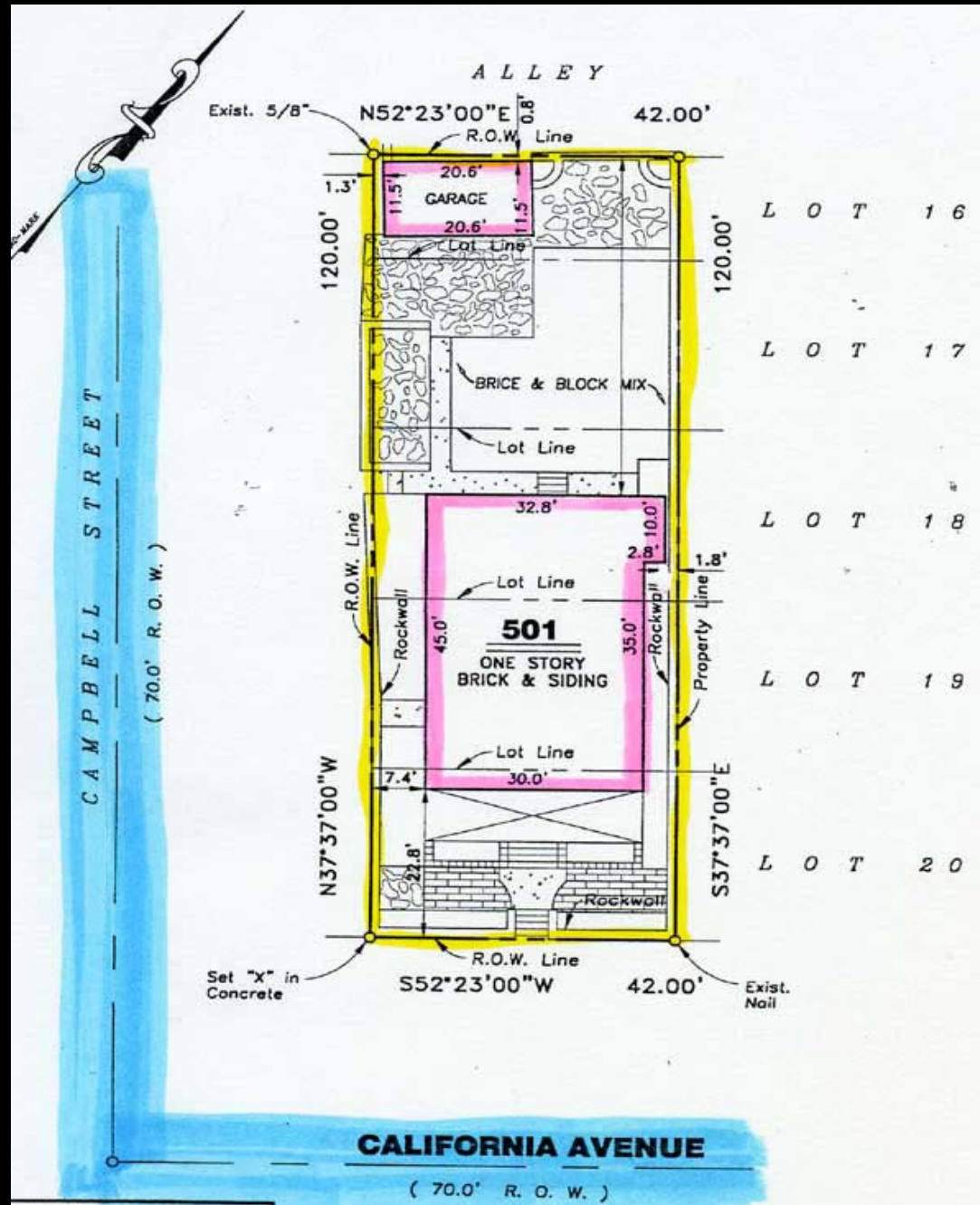


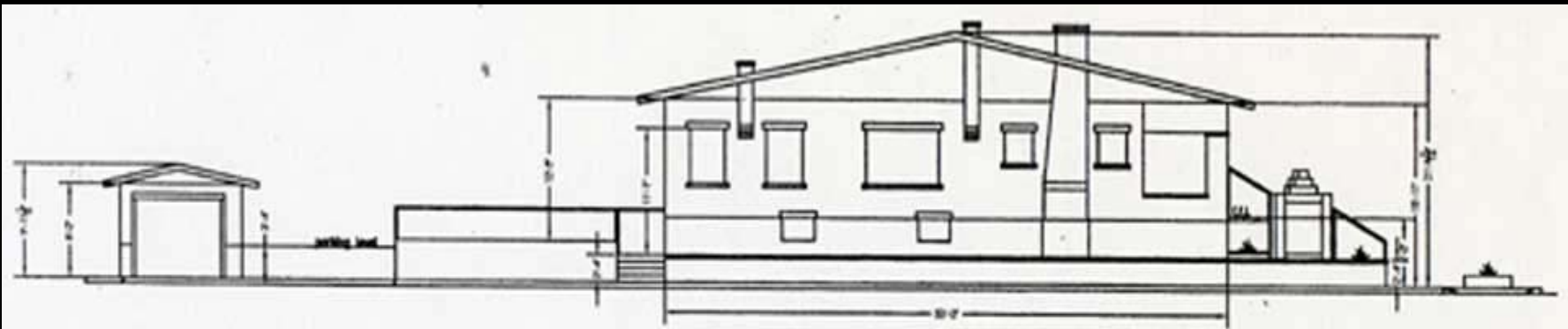




**Zone 04-00110**







Southwest Elevation

scale 1/16"=1'0"



**ZON04-00110**





**ZON04-00110**







**ZON04-00110**



**ZON04-00110**





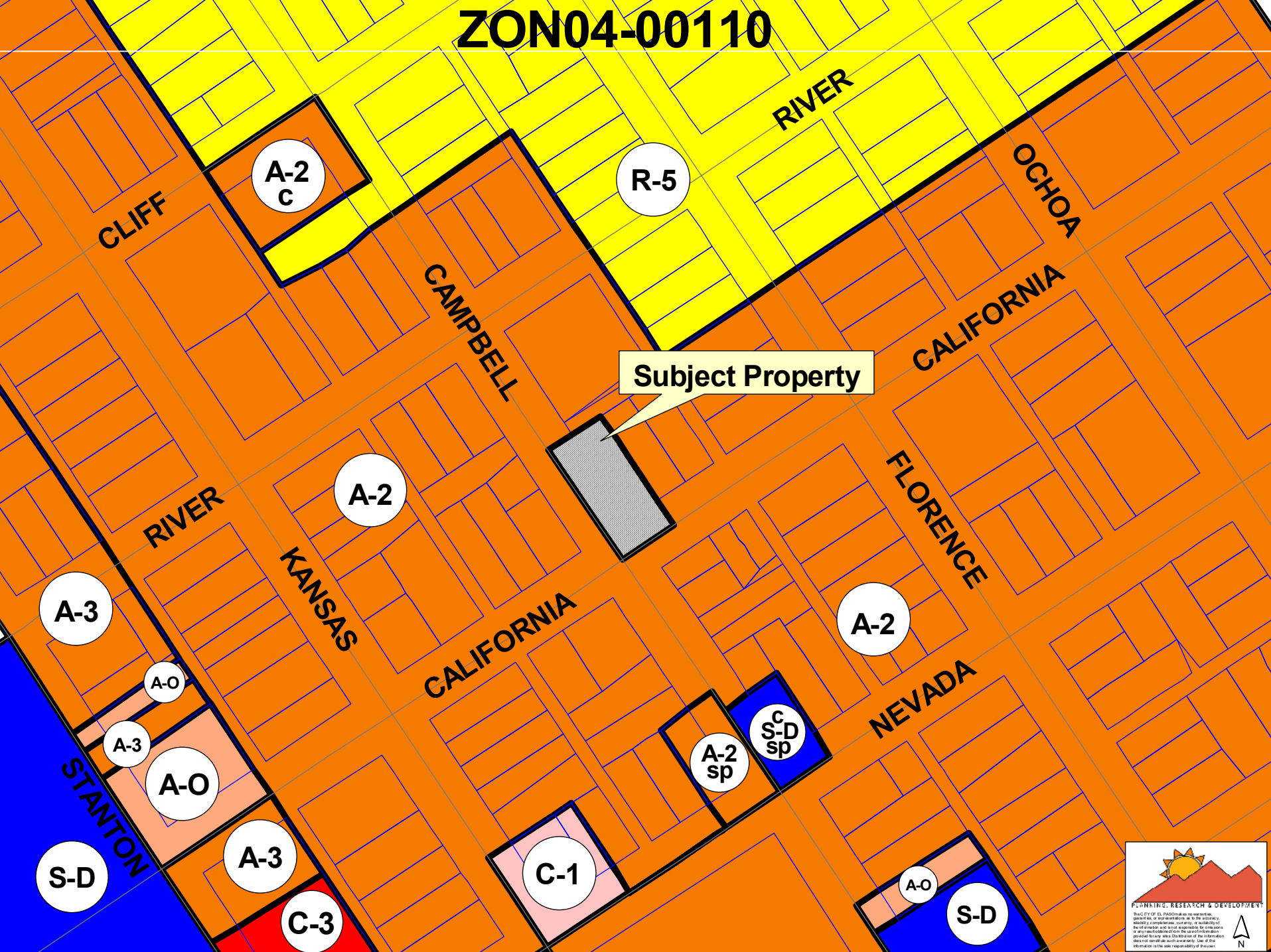
**ZON04-00110**







# ZON04-00110



Subject Property

**"RETAIN FOR SUBSEQUENT COUNCIL PUBLIC HEARING"**



**CITY OF EL PASO, TEXAS  
PLANNING, RESEARCH & DEVELOPMENT DEPARTMENT**

**MEMORANDUM**

**TO:** The Honorable Mayor and City Council  
Joyce Wilson, City Manager  
Patricia D. Adauto, Deputy City Manager  
Laura Uribarri, Executive Assistant to the Mayor  
Adrian Ocegueda, Executive Assistant to the Mayor

**FROM:** Jorge E. Rousselin, Urban Planner *TER*

**SUBJECT:** Council Agenda Items Introductions (Ordinances)  
Introduction: October 5, 2004  
**Public Hearing:** **October 26, 2004**

**DATE:** September 30, 2004

04 OCT 20 11 3

The following items have been scheduled for City Council action as noted above. Relevant information is attached. If you have any questions, please contact me at 541-4723.

**SEE ATTACHED ITEMS FOR INTRODUCTION AND SUBSEQUESNT REGULAR COUNCIL MEETING.**

Office Use Only			
Mayor's Office (4 copies):	date: <u>10-1-04</u>	time: _____	by: <u>[Signature]</u>
Representative District 1:	date: _____	time: _____	by: _____
Representative District 2:	date: <u>10/11/04</u>	time: <u>2:00</u>	by: <u>[Signature]</u>
Representative District 3:	date: _____	time: _____	by: _____
Representative District 4:	date: <u>10-1-04</u>	time: <u>2:00</u>	by: <u>[Signature]</u>
Representative District 5:	date: _____	time: _____	by: _____
Representative District 6:	date: <u>10-1-04</u>	time: <u>2:00</u>	by: <u>[Signature]</u>
Representative District 7:	date: <u>10/01/04</u>	time: <u>2:03</u>	by: <u>[Signature]</u>
Representative District 8: ✓	date: _____	time: _____	by: _____
City Attorney's Office: (3 copies):	date: <u>10/11/04</u>	time: <u>2:00</u>	by: <u>[Signature]</u>

C: George Sarmiento, Planning Director; Rudy Valdez, Chief Urban Planner; Esther Guerrero, Planning Tech.;  
Lisa A. Elizondo, City Attorney; Theresa Cullen-Garney, Deputy City Atty.; Matt Watson, Assistant City Atty.





PLANNING, RESEARCH AND DEVELOPMENT DEPARTMENT

**MEMORANDUM**

**DATE:** September 30, 2004

**TO:** The Honorable Mayor and City Council  
Joyce Wilson, City Manager  
Patricia D. Adauto, Deputy City Manager  
Laura Uribarri, Executive Assistant to the Mayor  
Adrian Ocegueda, Executive Assistant to the Mayor

**FROM:** Jorge E. Rousselin, Urban Planner

A handwritten signature in black ink, appearing to be "JER", is written over the name "Jorge E. Rousselin".

**SUBJECT: ZON04-00110:** West 42 Feet of Lots 17 through 20 and the west 42 Feet of the south 16 feet of lot 16, Block 20, Alexander Addition  
**LOCATION:** 501 E. California (**District 8**)  
**REQUEST:** From: A-2 (Apartment);  
To: A-O (Apartment/Office)

---

The City Plan Commission (CPC), on September 16, 2004 voted 4-1 to recommended **APPROVAL** of rezoning the subject property to A-O (Apartment/Office), concurring with Staff's recommendation.

The CPC found that this rezoning is in conformance with The Plan for El Paso; and the proposed use is in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that this rezoning protects the best interest, health, safety and welfare of the public in general; and that the proposed use is compatible with adjacent land uses.

There was **OPPOSITION** to this request.

**Attachment:** Staff Report

## **STAFF REPORT**

**Rezoning Case:** ZON04-00110

**Property Owner(s):** Richard Barron

**Applicant(s):** Jamie Barron

**Representative(s):** Same

**Legal Description:** West 42 Feet of Lots 17 through 20 and the West 42 Feet of the South 16 feet of lot 16, Block 20, Alexander Addition

**Location:** 501 E. California

**Representative District:** # 8

**Area:** 0.1157 Acres (5,039.89 sq. ft.)

**Present Zoning:** A-2 (Apartment)

**Present Use:** Residential

**Proposed Zoning:** A-O (Apartment/Office)

**Proposed Use:** Office

**Surrounding Land Uses:**

<b>North -</b>	A-2 (Apartment) / Apartments
<b>South -</b>	A-2 (Apartment) / Residences
<b>East -</b>	A-2 (Apartment) / Apartments
<b>West-</b>	A-2 (Apartment) / Residences

**Year 2025 Designation:** Residential (Central Planning Area)

CITY PLAN COMMISSION HEARING, September 16, 2004  
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL

**ITEM #14**



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE CHANGING THE ZONING OF WESTERLY 42 FEET OF LOT 17 TO 20 AND THE WESTERLY 42 FEET OF THE SOUTHERLY 16 FEET OF LOT 16, BLOCK 20, ALEXANDER ADDITION, EL PASO, EL PASO COUNTY, TEXAS (501 EAST CALIFORNIA AVENUE) FROM A-2 (APARTMENT) TO A-O (APARTMENT/OFFICE).THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the zoning of *Westerly 42 Feet of Lot 17 to 20 and the Westerly 42 Feet of the Southerly 16 feet of Lot 16, Block 20, Alexander Addition, El Paso, El Paso County, Texas (501 East California Avenue)* as more particularly described by metes and bounds in the attached Exhibit "A" be changed from **A-2 (Apartment)** to **A-O (Apartment/Office)** within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

**PASSED AND APPROVED** this \_\_\_\_\_ day of **October, 2004**.

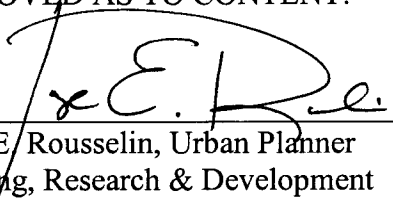
THE CITY OF EL PASO

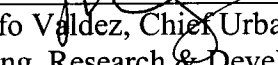
\_\_\_\_\_  
Joe Wardy, Mayor

ATTEST:

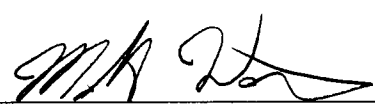
\_\_\_\_\_  
Richarda Duffy Momsen, City Clerk

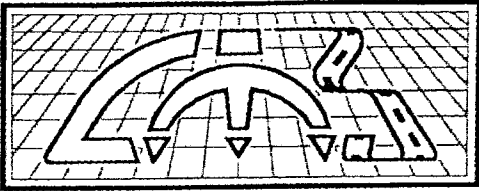
APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Jorge E. Rousselin, Urban Planner  
Planning, Research & Development

  
\_\_\_\_\_  
FOR: Rodolfo Valdez, Chief Urban Planner  
Planning, Research & Development

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Matt Watson, Assistant City Attorney



# Land - Mark Professional Surveying Inc.

"Serving Texas, New Mexico and Arizona"

## METES AND BOUNDS DESCRIPTION 501 CALIFORNIA AVENUE

**A 0.1157 ACRE PARCEL OF LAND BEING THE WESTERLY 42 FEET OF LOTS 17 THROUGH 20 AND THE WESTERLY 42 FEET OF THE SOUTHERLY 16 FEET OF LOT 16, BLOCK 20, ALEXANDER ADDITION, AS RECORDED IN VOLUME 15, PAGE 54, PLAT RECORDS OF EL PASO COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**COMMENCING** for reference at an existing city monument located 10.0 feet northerly and 10.0 feet easterly from the centerline-centerline intersection of California Avenue (70.0 feet wide) and Campbell Street (70.0 feet wide); **THENCE**, North 52°23'00" East, with the monument line of said California Avenue a distance of 25.00 feet to a point; **THENCE**, North 37°37'00" West a distance of 25.00 feet to a chiseled "X" set in the easterly right-of-way line of said Campbell Street for a corner of this parcel and the **POINT OF BEGINNING** of this parcel;

**THENCE**, North 37°37'00" West, with said easterly right-of-way line, a distance of 120.00 feet to an existing 5/8" rebar lying in the southerly boundary line of a 20.0 feet wide alley, for a corner of this parcel;

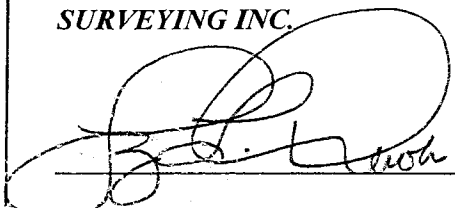
**THENCE**, North 52°23'00" East, with said southerly boundary line, a distance of 42.00 feet to an existing nail for a corner of this parcel;

**THENCE**, South 37°37'00" East a distance of 120.00 feet to an existing bridge nail lying in the northerly right-of-way line of said California Avenue, for a corner of this parcel;

**THENCE**, South 52°23'00" West, with said northerly right-of-way line, a distance of 42.00 feet to the **TRUE POINT OF BEGINNING**.

Said parcel contains 0.1157 acres (5040.00 square feet) more or less.

**LAND-MARK PROFESSIONAL  
SURVEYING INC.**

 9.27.04

Larry L. Drewes R.P.L.S.  
Texas License No. 4869

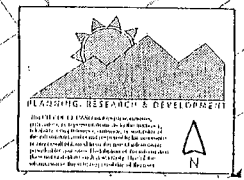
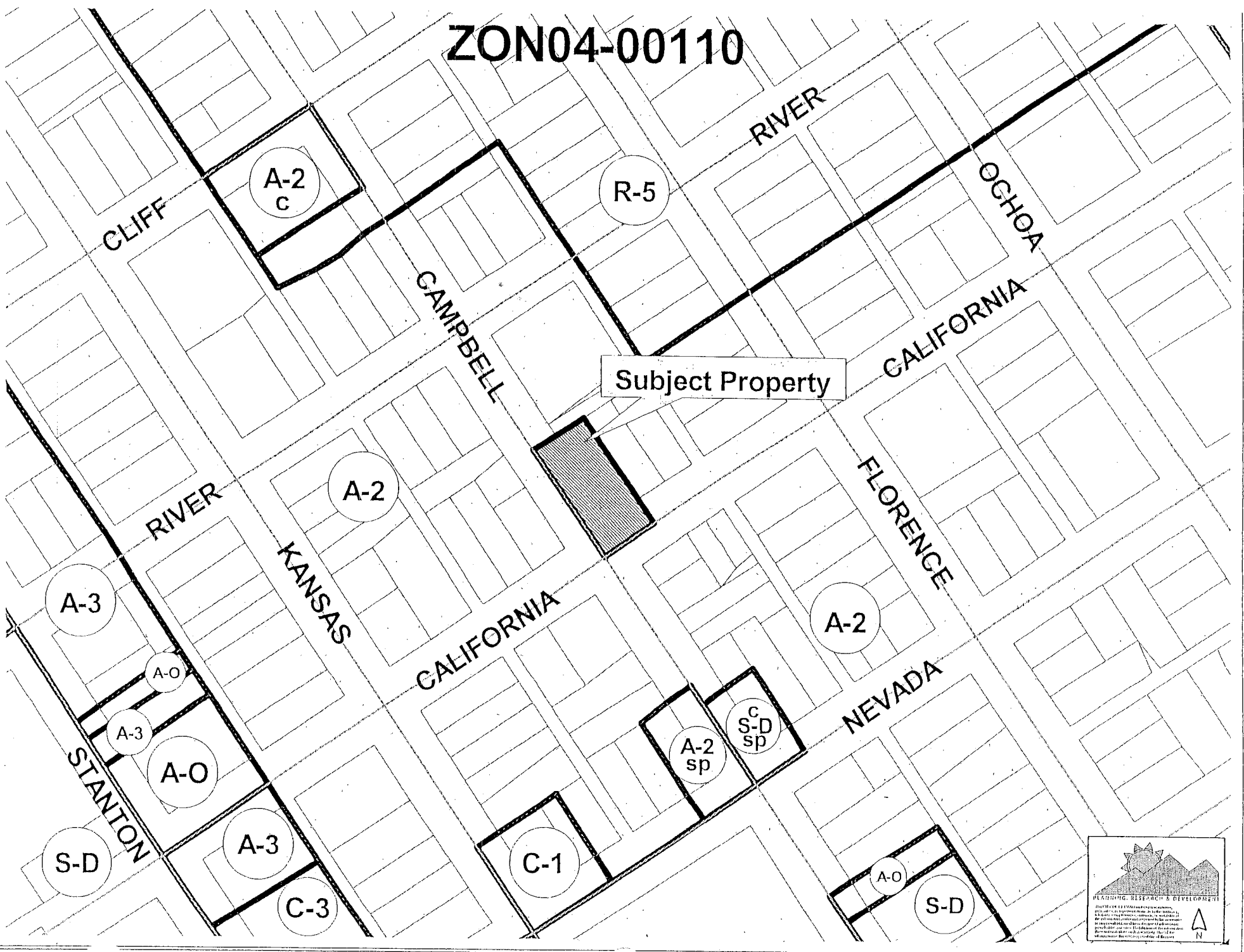
Date: August 9, 2004  
Job No. 04-03-19921

**Exhibit "A"**

2004-00110



ZON04-00110



**Zoning Case: ZON04-00110**

**General Information:**

The applicant is requesting a rezoning from A-2 (Apartment) to A-O (Apartment/Office) in order to permit a professional's office. The property is 0.1157 Acres (5,039.89 sq. ft.) in size and is currently residential. The proposed site plan shows an existing structure to remain on the site. Access is proposed via Campbell St. The property was registered as a non-conforming property on September 7, 2004 for front and side yard setbacks. There are no zoning conditions currently imposed on this property.

**Information to the Commission:**

The Planning Department has received one (2) phone calls and one (1) letter in **OPPOSITION** to this application.

**Staff Recommendation:**

The Development Coordinating Committee (DCC) unanimously recommends **APPROVAL** of this request for rezoning from A-2 (Apartment) to A-O (Apartment/Office) with the following conditions.

"That the applicant coordinate parking requirements with Building Permits & Inspections and site access with Engineering."

The recommendation is based on the following:

**The Plan for El Paso City-Wide Land Use Goals** recommend that El Paso "provide designated locations for commercial development that do not adversely affect the health, safety and welfare of the community and where essential infrastructure is available to serve the development."

**The Year 2025 Projected General Land Use Map** for the **Central Planning Area** designates this property for **Residential** land uses.

**A-O (Apartment/Office) zoning** permits an Office and **is compatible** with adjacent development.

The Commission must determine the following:

- A. Will the A-O (Apartment/Office) zoning protect the best interest, health, safety and welfare of the public in general?
- B. Will Office be compatible with adjacent land uses?



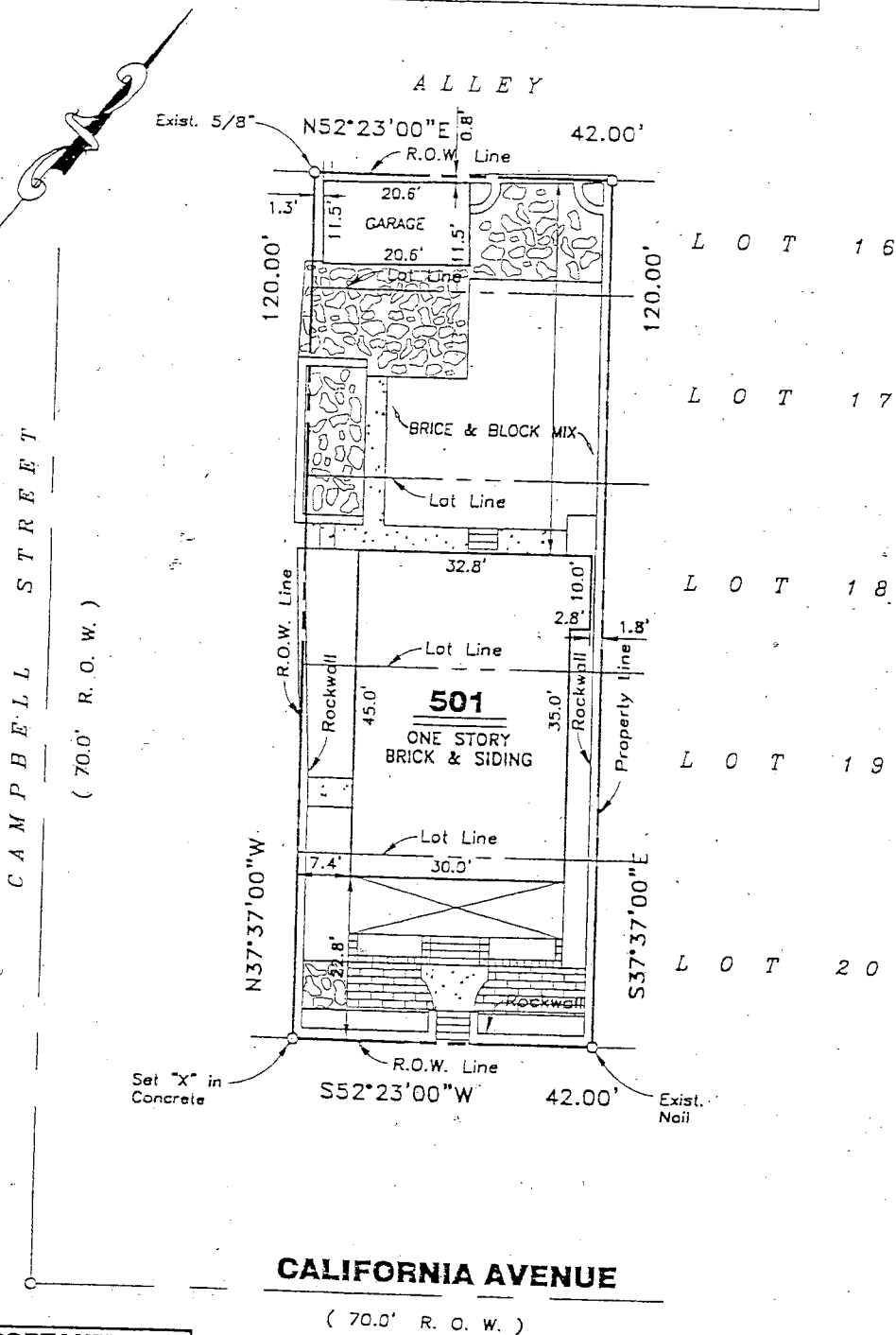
### **Information To The Applicant:**

- Building Permits and Inspections Department, Zoning Division Notes:
  - Need to register legal non-conforming front set back to porch, side set back of 1'-8" and side street set back.
  - Need to provide parking with parking calculations handy-cap parking
  - Building Permits and Inspections recommends approval providing #1 & #2 are met during plan review process
- Engineering Department, Development Division Notes:
  - See attachment 1
- Engineering, Traffic Division Notes:
  - See attachment 2
- Fire Department Notes:
  - Rezoning request does not adversely affect the Fire Department
- El Paso Water Utilities Notes:
  - See attachment 3
- Planning, Research and Development Department Notes:
  - Register property as non-conforming for front and side setbacks
  - Coordinate parking requirements with BP&I
  - Coordinate access to parking with Engineering

**ATTACHMENT:** Location Map; Site Plan; Department Comments.

**NOTE TO THE PROPERTY OWNER:** CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE DEPARTMENT OF PLANNING AT (915) 541-4056.

FLOOD CERTIFICATE: ACCORDING TO FLOOD INSURANCE RATE MAP, COMMUNITY-PANEL NUMBER 480214, 00398, EFFECTIVE DATE: OCTOBER 15, 1982 OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THIS PARCEL LIES WITHIN A ZONE DESIGNATION OF "C", WHICH INDICATES THAT THIS PARCEL DOES NOT LIE WITHIN A FLOOD HAZARD AREA.



### IMPORTANT!

is a lawful copy only if affixed original signature and embossed Registered Professional Land Surveyor seal.

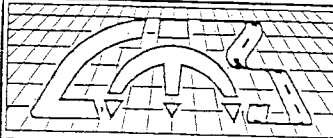
2004 All Rights Reserved

## Plat of Survey

WESTERLY 42 FEET OF LOT 17  
TO 20 AND THE WESTERLY 42 FEET  
OF THE SOUTHERLY 16 FEET  
OF LOT 16, BLOCK 20  
PIERCE FINLEY ADDITION  
EL PASO, EL PASO COUNTY, TEXAS.

Plat Reference: Vol./Bk 15 Page 54

20N04-00110

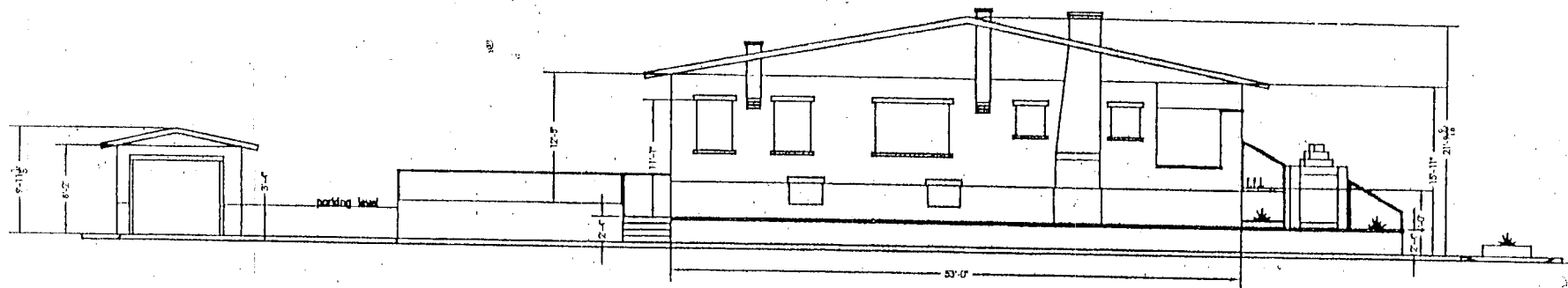


Land-Mark Professional Surveying, Inc.

1420 Bessemer Drive, Suite 'A'  
El Paso, Texas 79936

(915) 598-1300





# Southwest Elevation

scale 1/16"=1'0"

**Engineering Department**  
**DEVELOPMENT DIVISION**  
**COMMENTS**

TO: PLANNING DEPARTMENT  
FROM: ENGINEERING DEPARTMENT  
ATTN: Kimberly Forsyth, Fred Lopez, or  
Jorge Rousselin, Urban Planners

DATE: August 31, 2004  
ADDRESS: 501 E. California Ave.  
PROPOSED USE: Office

CASE NO.: ZON04-00110

PROPOSED ZONE: A-O

REQUEST: Rezoning from A-2 to A-O

LEGAL DESCRIPTION: W 42' of lots 17-20 & the W 42' of the S 16' of lot 16, BLk 20, Alexander Addn.

- ☐ 1. No comments
- ☐ 2. Must be submitted as a subdivision
- ☒ 3. Sidewalks & wheel chair ramps will be required,
- ☐ 4. Grading plan and permit required.
- ☐ 5. Storm Water Pollution Prevention details required.
- ☐ 6. Storm Water Pollution Prevention plan and permit required.
- ☒ 7. Drainage plans must be approved by the City Engineer
- ☐ 8. On site ponding will be required.
- ☐ 9. Private pond is required.
- ☐ 10. No water runoff allowed unto \_\_\_\_\_
- ☐ 11. Additional R.O.W. required.
- ☒ 12. Additional Comments: Site location is not located within the Special Flood Hazard Area. Zone C, Panel 39 B.

Bashar Abugalyon, P. E.  
Interim Assistant City Engineer

DISTRICT: 8

HME

DHCC Action:

Approved \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

W/ modifications \_\_\_\_\_

Denied \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_ Reason \_\_\_\_\_

Tabled \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_ Until \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_, \_\_\_\_\_ Weeks

Times Tabled \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_



## ENGINEERING DEPARTMENT

Traffic Division  
memorandum

TO: Fred Lopez, Planner II  
Kimberly Forsyth, Planner I  
Planning Department

FROM: Traffic Division

DATE: August 27, 2004

SUBJECT: ZON04 - 00110 501 E. California  
Rezoning from A-2 to A-O

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Regarding the above referenced DCC item, the Traffic Division has the following comments:

- No apparent traffic concerns with the proposed zoning change.

**NOTE:** Parking shall comply with City's Ordinance

Should your office or the applicant have any questions or comments regarding these issues, please contact Pilo Guevara or Margarita Molina, at 541-4223.





## INTEROFFICE MEMORANDUM

To: Kimberly Forsyth  
Urban Planner/Land Development

From: El Paso Water Utilities - Engineering

Date: September 01, 2004

Subject: **ZON04- 00110 (Rezoning Case)**  
West 42 feet of Lots 17 through 20, and the west 42 feet of the south 16 feet of Lot 16, Block 20, Alexander Addition (the Property).

Location: 501 E. California Street.  
Present: A-2 (Apartment); residential  
Proposed: A-O (Apartment -Office); Office

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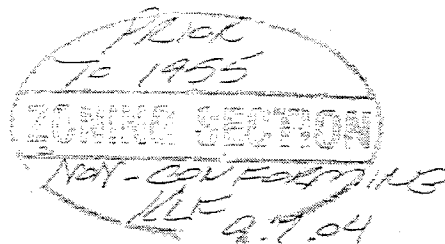
We have reviewed the zoning change request described above and provide the following comments:

### **General**

The Property has water and sanitary sewer service.

Application for water and sanitary sewer services should be made 6-8 weeks prior to any construction to ensure water for construction work. A site plan, a utility plan, grading & drainage plans, landscaping plan (if applicable), the legal description of the property, and a certificate-of-compliance are required at the time of application. The certificate-of-compliance can be obtained on the 2nd floor at City Hall.

EPWU does not object to this request.



## PLANNING RESEARCH AND DEVELOPMENT DEPARTMENT

### FORM TO BE FILLED OUT WHEN REGISTERING A NON-CONFORMING STRUCTURE OR USE

Name and telephone number of person registering non-conformity.

JAMIE BARRON, PH.D.

Address of non-conforming structure or use.

501 E. CALIFORNIA

Legal description of non-conforming structure or use.

W 42' LOT 17 TO 20 E N 42' OF THE S 16' LOT 16, BLOCK 20 PIERCE FINNEY  
ADDITION, EL PASO COUNTY TX

What is it that is being declared as being non-conforming? (A use or a structure, provide details.)

FRONT 9' WIDE SET-BACKS

Since when has the structure or use existed (Code change or annexation)?

1925

Is a scaled plot plan attached?

YES

Are there affidavits attached?

NO

If not, what is replaced, one for one, for the affidavit?

AERIAL PHOTO, CAD, PEOPLES DIRECTORY

**FINAL NOTE:** Affidavits become a permanent part of our records, and therefore, we require they be typed on an 8 1/2" x 11" letter sized paper. Affidavits must state exactly what is being declared. Non-conforming as to height (State height), setbacks (State why - Example: 2' from front property line), use (Auto shop in C-2 zone), etc.

September 14, 2004

Jorge Rousselin  
Two Civic Center Plaza  
El Paso, Texas 79901-1196

Re: ZON04-00110

Dear Jorge Rousselin:

The El Paso High Neighborhood Association met on Saturday, September 11, 2004 and voted to deny the zoning change request to A/O at 501 East California.

We would like to preserve our neighborhood as family residences.

Please consider our voice and deny the above zoning change request.

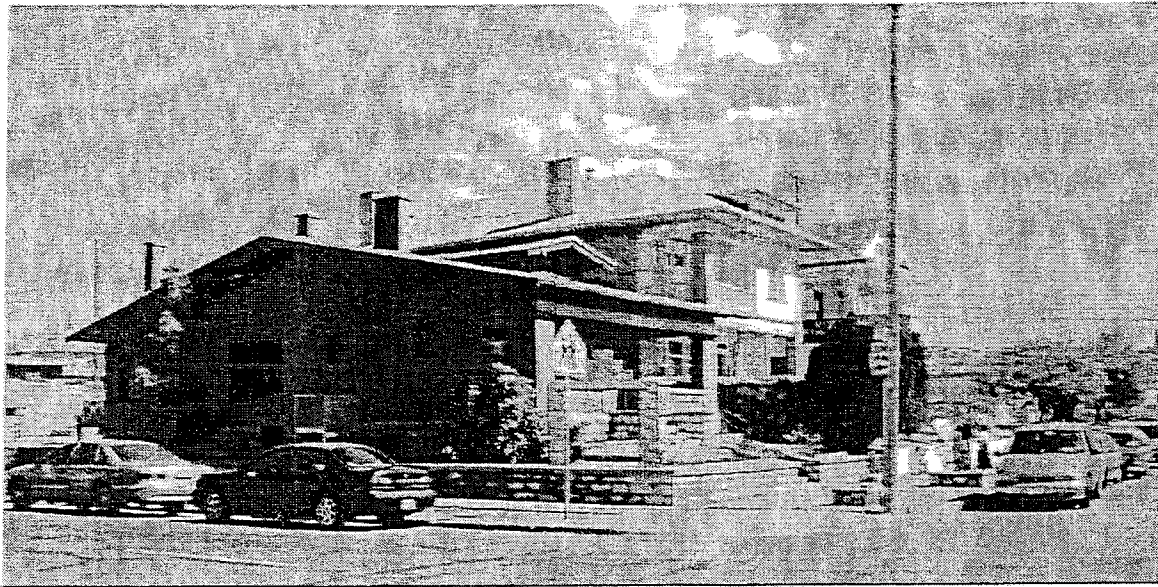
Sincerely,

A handwritten signature in black ink, appearing to read 'Julio Norman', followed by a horizontal line.

Julio Norman  
President

El Paso High Neighborhood Association  
1610 N. Kansas Street  
EL Paso, Texas 79902





501 E. California  
Parking at 10:30 am September 14, 2004

